

Sec.	(a) Authorization. (b) Temporary use. (c) Storage, maintenance and other costs.	Sec.	(b) International understanding defined.
2795b.	Repealed.	SUBCHAPTER VIII—CHEMICAL OR BIOLOGICAL WEAPONS PROLIFERATION	
SUBCHAPTER VI—LEASES OF DEFENSE ARTICLES AND LOAN AUTHORITY FOR COOPERATIVE RESEARCH AND DEVELOPMENT PURPOSES		2798.	Sanctions against certain foreign persons. (a) Imposition of sanctions. (b) Consultations with and actions by foreign government of jurisdiction. (c) Sanctions. (d) Termination of sanctions. (e) Waiver. (f) “Foreign person” defined.
2796.	Leasing authority. (a) Preconditions. (b) Duration; termination. (c) Applicable statutory authorities.	SUBCHAPTER IX—TRANSFER OF CERTAIN CFE TREATY-LIMITED EQUIPMENT TO NATO MEMBERS	
2796a.	Reports to Congress. (a) Written certification to Speaker of the House and chairmen of Congressional committees. (b) Waiver; determination of emergency. (c) Transmission of certification.	2799.	Purpose.
2796b.	Legislative review procedures. (a) Applicability. (b) Consideration of resolution. (c) Highly privileged nature of resolution.	2799a.	CFE Treaty obligations.
2796c.	Applicability of other statutory provisions.	2799b.	Authorities. (a) General authority. (b) Acceptance of NATO assistance in eliminating direct costs of transfers. (c) Acceptance of NATO assistance in meeting certain United States obligations. (d) Authority to transfer on grant basis. (e) Third country transfers restrictions. (f) Maintenance of military balance in Eastern Mediterranean. (g) Expiration of authority.
2796d.	Loan of materials, supplies, and equipment for research and development purposes. (a) Loan or gift transactions; written agreement; covered programs. (b) Reimbursement of consumed materials, etc. (c) Prohibitions. (d) “NATO ally” defined.	2799c.	Notifications and reports to Congress. (a) Notifications. (b) Annual reports.
SUBCHAPTER VII—CONTROL OF MISSILES AND MISSILE EQUIPMENT OR TECHNOLOGY		2799d.	Definitions.
2797.	Licensing. (a) Establishment of list of controlled items. (b) Referral of license applications. (c) Information sharing. (d) Exports to space launch vehicle programs.	SUBCHAPTER X—NUCLEAR NONPROLIFERATION CONTROLS	
2797a.	Denial of transfer of missile equipment or technology by United States persons. (a) Sanctions. (b) Discretionary sanctions. (c) Presumption. (d) Waiver.	2799aa.	Nuclear enrichment transfers. (a) Prohibitions; safeguards and management. (b) Certification by President of necessity of continued assistance; disapproval by Congress.
2797b.	Transfers of missile equipment or technology by foreign persons. (a) Sanctions. (b) Inapplicability with respect to MTCR adherents. (c) Effect of enforcement actions by MTCR adherents. (d) Advisory opinions. (e) Waiver and report to Congress. (f) Presumption. (g) Additional waiver. (h) Exceptions.	2799aa-1.	Nuclear reprocessing transfers, illegal exports for nuclear explosive devices, transfers of nuclear explosive devices, and nuclear detonations. (a) Prohibitions on assistance to countries involved in transfer of nuclear reprocessing equipment, materials, or technology; exceptions; procedures applicable. (b) Prohibitions on assistance to countries involved in transfer or use of nuclear explosive devices; exceptions; procedures applicable. (c) “Non-nuclear-weapon state” defined.
2797b-1.	Notification of admittance of MTCR adherents. (a) Policy report. (b) Intelligence assessment report.	2799aa-2.	“Nuclear explosive device” defined.
2797b-2.	Authority relating to MTCR adherents.	CHAPTER REFERRED TO IN OTHER SECTIONS	
2797c.	Definitions. (a) In general.	This chapter is referred to sections 2272, 2291, 2291e, 2291f, 2304, 2311, 2318, 2321h, 2321i, 2321j, 2321k, 2349a, 2349aa-2, 2364, 2367, 2370a, 2373, 2378-1, 2394-1, 2403, 2413, 2414, 2423, 2778a, 3402, 5603, 5605, 6003, 6041, 6445, 6593, 6713 of this title; title 10 sections 130, 2344, 2350b, 2350c; title 12 section 635; title 15 section 4605; title 18 section 2516;	

title 26 section 901; title 29 sections 1662d, 1662d-1; title 49 section 44908; title 50 section 415.

SUBCHAPTER I—FOREIGN AND NATIONAL SECURITY POLICY OBJECTIVES AND RESTRAINTS

§ 2751. Need for international defense cooperation and military export controls; Presidential waiver; report to Congress; arms sales policy

As declared by the Congress in the Arms Control and Disarmament Act [22 U.S.C. 2551 et seq.], an ultimate goal of the United States continues to be a world which is free from the scourge of war and the dangers and burdens of armaments; in which the use of force has been subordinated to the rule of law; and in which international adjustments to a changing world are achieved peacefully. In furtherance of that goal, it remains the policy of the United States to encourage regional arms control and disarmament agreements and to discourage arms races.

The Congress recognizes, however, that the United States and other free and independent countries continue to have valid requirements for effective and mutually beneficial defense relationships in order to maintain and foster the environment of international peace and security essential to social, economic, and political progress. Because of the growing cost and complexity of defense equipment, it is increasingly difficult and uneconomic for any country, particularly a developing country, to fill all of its legitimate defense requirements from its own design and production base. The need for international defense cooperation among the United States and those friendly countries to which it is allied by mutual defense treaties is especially important, since the effectiveness of their armed forces to act in concert to deter or defeat aggression is directly related to the operational compatibility of their defense equipment.

Accordingly, it remains the policy of the United States to facilitate the common defense by entering into international arrangements with friendly countries which further the objective of applying agreed resources of each country to programs and projects of cooperative exchange of data, research, development, production, procurement, and logistics support to achieve specific national defense requirements and objectives of mutual concern. To this end, this chapter authorizes sales by the United States Government to friendly countries having sufficient wealth to maintain and equip their own military forces at adequate strength, or to assume progressively larger shares of the costs thereof, without undue burden to their economies, in accordance with the restraints and control measures specified herein and in furtherance of the security objectives of the United States and of the purposes and principles of the United Nations Charter.

It is the sense of the Congress that all such sales be approved only when they are consistent with the foreign policy interests of the United States, the purposes of the foreign assistance program of the United States as embodied in the Foreign Assistance Act of 1961, as amended [22 U.S.C. 2151 et seq.], the extent and character of

the military requirement, and the economic and financial capability of the recipient country, with particular regard being given, where appropriate, to proper balance among such sales, grant military assistance, and economic assistance as well as to the impact of the sales on programs of social and economic development and on existing or incipient arms races.

It shall be the policy of the United States to exert leadership in the world community to bring about arrangements for reducing the international trade in implements of war and to lessen the danger of outbreak of regional conflict and the burdens of armaments. United States programs for or procedures governing the export, sale, and grant of defense articles and defense services to foreign countries and international organizations shall be administered in a manner which will carry out this policy.

It is the sense of the Congress that the President should seek to initiate multilateral discussions for the purpose of reaching agreements among the principal arms suppliers and arms purchasers and other countries with respect to the control of the international trade in armaments. It is further the sense of Congress that the President should work actively with all nations to check and control the international sale and distribution of conventional weapons of death and destruction and to encourage regional arms control arrangements. In furtherance of this policy, the President should undertake a concerted effort to convene an international conference of major arms-supplying and arms-purchasing nations which shall consider measures to limit conventional arms transfers in the interest of international peace and stability.

It is the sense of the Congress that the aggregate value of defense articles and defense services—

(1) which are sold under section 2761 or section 2762 of this title; or

(2) which are licensed or approved for export under section 2778 of this title to, for the use, or for benefit of the armed forces, police, intelligence, or other internal security forces of a foreign country or international organization under a commercial sales contract;

in any fiscal year should not exceed current levels.

It is the sense of the Congress that the President maintain adherence to a policy of restraint in conventional arms transfers and that, in implementing this policy worldwide, a balanced approach should be taken and full regard given to the security interests of the United States in all regions of the world and that particular attention should be paid to controlling the flow of conventional arms to the nations of the developing world. To this end, the President is encouraged to continue discussions with other arms suppliers in order to restrain the flow of conventional arms to less developed countries.

(Pub. L. 90-629, ch. 1, § 1, Oct. 22, 1968, 82 Stat. 1321; Pub. L. 91-672, § 4, Jan. 12, 1971, 84 Stat. 2053; Pub. L. 93-189, § 25(1), Dec. 17, 1973, 87 Stat. 729; Pub. L. 94-329, title II, § 202, formerly § 202(a), June 30, 1976, 90 Stat. 734, renumbered and amended Pub. L. 95-384, §§ 15(a), 29(c)(1)(A), Sept. 26, 1978, 92 Stat. 739, 747; Pub. L. 97-113, title VII, § 734(a)(10), Dec. 29, 1981, 95 Stat. 1560.)